

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL NO. 04-30124-MAP

ALEX DELGADO, Petitioner,

vs.

KATHLEEN M. DENNEHEY, Respondent.

PETITIONER'S APPLICATION FOR
CERTIFICATE OF APPEALABILITY

Petitioner Alex Delgado moves the Court for an order granting him a certificate of appealability [COA] pursuant to 28 U.S.C. §2253 regarding this Court's August 27, 2007 dismissal of his habeas corpus petition. The claims for which Delgado seeks a COA are: Claims One, Four and so much of Five as claims ineffective assistance of counsel in the failure to develop and present his fair cross-section claim within the time and in the manner required by state rules of procedure.

Delgado submits a brief memorandum in support of this motion which sets forth the reasons for granting the COA.

Respectfully submitted,
ALEX DELGADO, PETITIONER

By /s/ John M. Thompson
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Certificate of Service

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper will copies will be sent to those indicated as non registered participants on this 8th day of February, 2008.

/s/ John M. Thompson
John M. Thompson